

Code Compliance Narrative

UPDATED June 30, 2020

The following narrative describes how the proposal to subdivide 4.9 acres into 20 single-family detached and attached dwelling units will meet the requirements of the Issaquah Municipal Code (IMC). The applicable approval criteria found in Title 18 are as follows:

APPLICABLE APPROVAL CRITERIA:

18.04.440 Quasi-Judicial Land Use Decision – Approval Criteria:

Level 3 permits are decided in accordance with the purpose and intent of this chapter, using approval criteria found in Chapter [18.07](#) IMC including, if applicable, development regulations, the Design Criteria Checklist, and other applicable approval criteria. (Ord. 2108 § 4.4.4.3, 1996).

Discussion: A cluster subdivision that is under 5 acres is subject to the Level 3 Quasi-Judicial Land Use Decision process. Please see below for a discussion on the applicable approval criteria found in IMC Chapter 18.07.

18.07.070 Density:

- A. *Purpose: The purpose of establishing maximum density provisions for residential development is to achieve consistency in development in the same zoning district as well as compatibility of scale between developments in adjoining zoning districts.*
- B. *Density Calculation – Residential: Density is calculated as dwelling units per acre. Fractions below one-half (.5) should be rounded down and fractions one-half (.5) and above should be rounded up.*

$$\text{Density (DUs/Acre)} = \frac{\text{Number of Dwelling Units Per Acre}}{\text{Base Site Area (Acres)}}$$

- C. *Density Calculation – Commercial, Industrial and Residential Mixed Use: Density for commercial, industrial and residential mixed use shall be limited by critical area constraints, impervious surface ratio, height, setbacks and other requirements established in the District Standards Table (IMC [18.07.360](#)).*

Discussion: See Sheet C1. The density calculation is as follows:

- Density allowed in the SF-S Zone: 4.5 dwelling units (DU) per acre
- Total site area: 213,341 square feet (4.9 acres)
- Critical area (including buffers): 79,437 square feet (1.824 acres, or 37.2% of site area)
- Density credit: 70%
 - Per IMC 18.10.450, projects where 31%-40% of total site area are within critical areas qualify for a 70% density credit.
- Area outside of critical areas: 133,904 square feet (3.074 acres)
- Density for area outside of the critical areas:
 - 3.074 acres x 4.5 DU/Acre = 13.833 DU
- Density for critical areas:
 - 1.824 acres x 4.5 DU/Acre x 70% Density Credit = 5.745 DU

- Total: $13.833 + 5.745 = 19.578$ DU

Pursuant to Section 18.07.070B, fractions of dwelling units above one-half should be rounded up. Therefore 20 DU are proposed.

18.07.420 Cluster Housing Standards:

A. Purpose: The purpose of the cluster housing standards is to:

1. Achieve the maximum allowable density, as established on the District Standards Table (IMC [18.07.360](#)), on developable land while preserving critical areas and other pervious surfaces through lot size reduction;
2. Provide more common usable and native forested open space within cluster developments that are not a part of a platted lot;
3. Encourage affordable housing through the provision of smaller lots; and
4. Provide a more efficient arrangement of structures for providing services and infrastructure.

A cluster development may include, but is not limited to, zero lot line units, manufactured homes, duplex, triplex and fourplex units.

Discussion: The purpose of the cluster housing standard is being achieved.

- The maximum allowable density of 20 dwelling units (DU) is being retained with a mix of single-family detached and single-family attached (two units sharing a common wall). Please note that IMC 18.06.130 (Table of Permitted Uses) limits the grouping of single family attached dwellings to two in the SF-S zone.
- The arrangement of the DU's preserves critical areas while retaining density.
- The single-family detached and attached lots are on smaller lots than what is otherwise required for plats with SF-S zones.
- The proposed layout is efficient for the provision of services and infrastructure.
- The development sets aside 16.6% of the total net site area for common open space, allowing for a trail and retention of forested open space adjacent to a large critical area/buffer.

B. Approval Criteria: The provisions for lot size adjustment are defined within the District Standards Table (IMC [18.07.360](#)). Review for cluster development approval shall occur within the existing procedure required for the application. Approval for a cluster development shall be granted only if all the following criteria are met:

1. **Minimum Area:** A minimum of two (2) acres is required for a cluster development; however, there is no minimum lot size for individual units within the development.

Discussion: The total site area is 213,341 square feet (4.9 acres). This criterion has been met.

2. **Density:** Overall density must not exceed density of underlying zoning district.

Discussion: As noted in the density calculations, the overall density allowed on the property by the underlying zoning district is not being exceeded. This criterion has been met.

3. ***Consistency with Policies: The proposed development will be consistent with the general purpose, goals, objectives, and standards of the Comprehensive Plan, the City's subdivision regulations (Chapter [18.13](#) IMC), this Code and all other pertinent rules or regulations, whether local, state or federal.***

Discussion: Please see the other sections of this code compliance narrative, together with the Critical Areas Variance criteria narrative and Administrative Adjustment of Standards criteria narrative for discussion of the relevant requirements. This criterion has been met.

4. ***Development Standards: Required development and design standards for cluster housing are established in the District Standards Table (IMC [18.07.360](#)), and based upon the underlying district standards for the parcel.***

- a. ***Critical Areas: When critical areas are present, such critical areas and their buffers shall be used to calculate the pervious surface requirement. Environmentally constrained land shall not be used for subdivision of individual lots, and shall be held in a critical area tract or other protection method.***

Discussion: See Sheet C1 on the attached plans for the impervious surface calculations. All critical areas and associated buffers are proposed to be set aside in critical areas tracts or easements, as required by the City. This criterion has been met.

- b. ***Common Usable Open Space: The cluster development shall have a minimum of fifteen (15) percent of the net site area as common usable open space.***

Discussion: 16.6% (17,187 square feet) of the net site area (103,098 square feet) has been set aside for common usable open space. This criterion has been met.

- c. ***Setbacks at exterior site boundaries, where the zoning is different than the abutting zoning, shall be the greater of the setback required by the site's zoning or the setback required by the adjacent zoning. There are no minimum interior setbacks, except those established by other requirements, such as building code, easements and critical areas.***

Discussion: See the attached site plans (specifically Sheet C3) for exterior and interior setbacks. This criterion has been met.

- d. ***Pervious and impervious surface requirements are equal to underlying zone for the gross site, prior to subdivision or other actions. There are no minimum requirements for pervious and impervious ratios on individual lots within the cluster development.***

Discussion: See Sheet C1 and Full Drainage Report for pervious and impervious surface calculations. This criterion has been met.

5. ***Landscape Plan: Residential projects developed as a cluster development (this section) shall be required to submit a landscape plan per IMC [18.12.070](#) and a Building Permit(s) shall not be issued until the landscaping plan has been approved. The landscaping plan shall be fully detailed as required by the provisions of the landscaping chapter and shall be subject to the***

approval of the Planning Director/Manager. Minimum standards for cluster development projects shall include:

- a. Landscaping of all building setbacks and internal areas between buildings except for ingress and egress (driveways and sidewalks) shall be as required for multifamily residential uses in IMC [18.12.070](#), Schedule – General requirements by landscape type.**
- b. Landscaping on the exterior periphery yards of a cluster development project shall include a combination of coniferous and deciduous trees, shrubs and ground cover.**
- c. The minimum pervious area established by the underlying zone of the clustered development shall be fully landscaped. Critical areas and their associated buffers (i.e., steep slopes, wetlands, etc.) retained or recreated as native forest may count towards the required pervious area and need not be landscaped. Enhancement of those critical areas, including critical area buffers, may be required if they are counted towards required buffering.**

Discussion: Understood. Conceptual mitigation plans have been provided with this application. The final mitigation plan for critical areas/buffers, together with a landscaping plan for required tree plantings (mitigation proposed under the AAS for tree retention) and a general landscaping plan that meets these requirements, will be provided at the plat engineering phase of the project, prior to issuance of any building permits.

6. Impacts:

- a. Neighborhood: The proposed clustering of the development will not have a substantial adverse impact on adjacent property, the character of the neighborhood or community, traffic conditions, parking, utility facilities, or other elements affecting the public health, safety and general welfare.**

Discussion: The proposed development will not have a substantial adverse impact on the community:

- The property is adjacent to higher density residential zones to the north (MF-H) and the east (SF-SL). The development is appropriate to the housing types that are allowed in the SF-S zones.
- The main developable area will have significant buffers to the east (large critical area tracts/easements) and west (undeveloped ROW).
- The subdivision has been designed to meet development, utility and safety standards.
- The existing abandoned home, together with debris, in the main development area will be removed.

This criterion has been met.

- b. Environment: The proposed cluster development will not result in the destruction, loss, or damage of any scenic corridor or Issaquah Treasure as identified in the City's Comprehensive Plan.**

Discussion: There are no scenic corridors or Issaquah Treasure as identified in the City's Comprehensive Plan on the property, or near the property that would

be impacted by the proposed development. The proposed development will not be visible from the nearest feature, Issaquah Creek and Hatchery, due to the distance and the heavily vegetated critical area tract that that serves as a buffer. This criterion has been met.

- c. Services: The proposed cluster development will be adequately served by essential public facilities and services (such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water, sewers and schools) or the persons or agencies responsible for the establishment of the proposed use will adequately provide for such services.*

Discussion: The proposed development will be adequately served by essential public facilities, as confirmed through the review of City departments, agencies, and peer reviewer. The project will be subject to impact fees to ensure adequate capacity for such services is maintained. This criterion has been met.

7. Implementation:

- a. Unit Types: Developments proposed under the cluster provision may use the zero lot line provision, single family semidetached (common wall) units or other methods or combinations, provided all the approval criteria established for those housing types and cluster development approval criteria are met.*

Discussion: The proposed cluster subdivision includes single-family detached, and single family attached (common wall) dwelling units and will be developed according to the City of Issaquah zoning and building requirements. This criterion will be met.

- b. More Than One (1) Zoning District: A development which includes more than one (1) zoning district may use the cluster provision and may site the clustered units in one (1) or all zoning districts within the development. Overall density of the cluster development cannot be more than the combined total for all included district properties. However, units can be sited in one (1) or all zoning districts.*

Discussion: This criterion does not apply. The entire development is within one zoning district (SF-S).

8. Zero Lot Line Standards: The following are additional approval criteria for zero lot line cluster development:

- a. Lot Coverage/Impervious Surface: The impervious surface on the original parcel before subdividing shall not exceed those standards established in the District Standards Table (IMC [18.07.360](#)).*

Discussion: Please see the impervious surface calculations on Sheet C1 and the Full Drainage Report. This criterion has been met.

- b. Maintenance and Drainage Easements: A perpetual easement at least five (5) feet wide for maintenance, eaves overhang, and drainage shall be provided on the lot adjacent to the zero lot line property line which, with the exception of walls and/or fences, shall be kept clear of structures. This easement shall be shown on the plat*

and incorporated into each deed transferring title of the property. The wall shall be maintained in its original color and treatment unless otherwise agreed to in writing by the two (2) affected lot owners. Eaves, but no other part of any structure, may protrude across a side lot line, and such protrusion shall not exceed eighteen (18) inches. Water runoff from the dwelling placed on the lot line is limited to the easement areas. An alternative to having an easement on the adjacent lot is to set back the dwelling unit two (2) to five (5) feet from the lot line so access can occur on each lot, and then give the adjacent lot use of this area through an easement in the setback area.

Discussion: Understood. This criterion will be met as the buildings are designed, prior to building permit submittals.

- c. Platting Requirements: Each dwelling shall be located on its own individual platted lot. The final plat or short plat shall provide a plan, drawn to scale as required by the current subdivision regulations within this Code (Chapter [18.13](#) IMC), indicating the exact location and building footprint of all structures proposed to encroach within the required setback, the zero lot lines, and the related easements.*

Discussion: Each dwelling, including those sharing a common wall, will be located on its own individual lot (see Sheet C3). The final lot lines, easements, and building footprints will be determined during plat engineering, prior to final plat approval. This criterion will be met.

- d. Setbacks: See IMC [18.07.360](#), District standards table.*

Discussion: See the attached site plans (specifically Sheet C3) for exterior and interior setbacks. This criterion has been met.

- C. Development Agreement: A Development Agreement must be approved by the City Council prior to or concurrently with a plat decision and/or other land use decision located on commonly owned, contiguous parcels of land totaling five (5) or more acres of land. Upon City Council approval of a Development Agreement, the property's development shall be governed by the substantive provisions of the approved Development Agreement and implemented through subdivisions, short plats, binding site plans or other applicable permits in accordance with the procedures specified in the Development Agreement, or standard City procedures if none are specified in the Development Agreement. Any conditions or standards of approval for any subdivision, short plat, binding site plan or other permit or approval for the property shall use and incorporate the development standards set forth in the approved Development Agreement.*

Discussion: The proposed cluster subdivision has a total site area of 4.9 acres and is therefore not subject to a Development Agreement or City Council approval. Please note the criteria for this section was omitted due to non-applicability.

CONCLUSION:

Based on the foregoing discussion and demonstration in the enclosed documents that the criteria related to the proposed development has been satisfied, we respectfully request that the City of Issaquah grant approval for the proposed cluster subdivision, together with the critical areas variance and administrative adjustment of standards (see separate narratives).